

United States District Court
For the Middle District of Pennsylvania

P.O. Box 868
Harrisburg, PA. 17108-0868

James E. Foster,
1577 Little Egypt Road,
Harrieville, PA. 17228

Case No.:

1: CV 04-1617

Plaintiff

Vs.

Mr. Thomas Myers,

Harrisburg, PA.

Mr. David Scott,

Altoona, PA.

Mr. Homer Floyd

Harrisburg, PA.

Mr. Joseph Adler,

Pittsburg, PA.

Mr. Trent Hargrove

111
Harrisburg, PA.

Ms. Joan D. Gmitter

Philadelphia, PA

Ms. Mario M. Tomasso

Philadelphia, PA 19106-3515

Ms. Marie M. Tomasso

Philadelphia, PA. 19106-2515

Bominger & Bayley Law Firm

Carlisle, PA, 17013

Jury Trial Demanded

Defendants

1
2 **Plaintiff**

3 **James E. Foster**- a citizen of the County of Fulton, State of
4 Pennsylvania, residing at 1577 Little Egypt Road, Harrisonville,
5 PA. 17228.

6 Plaintiff underlying civil rights case. Mr. Foster complains,
7 that the Defendants violated his civil rights from January 2002
8 to May 7th, 2004 and their duty and responsible.

9
10 **COMPLAINT**

11
12 1. January 2002, through May 7th, 2004, Defendants' mislead,
13 conceal facts, knowingly accepting falsified documents, denied
14 information in order to evade, cover-up and attempts to prevent
15 Plaintiff form exercising his civil rights under the
16 Constitution of the United States, Pennsylvania Constitution
17 and Common Law.

18
19 2. Defendants conspired for the purpose of impeding, hindering,
20 obstructing and defeating the due course of justice with intent
21 to deny equal protection of the law.

22
23 3. Defendants violated their duty and responsible which were
24 assigned by Federal and State legislative directives and
25 Common Law.

1
2 4. Defendants violated established policy and procedures with
3 intent to prevent the due process of the law.
4
5

6 **COUNTS**

7 1. **Fraudulent Conspiracy** Plaintiff respectfully contends that
8 when tested against the standards of conspiracy, specified
9 on the foregoing facts, the Defendants conduct constitutes a
10 fraudulent conspiracy that includes violating and removing
11 the Plaintiff's protected rights and thus all Defendants
12 supported the conspiracy.
13 2. **Party to the Conspiracy** - Plaintiff respectfully contends
14 that the foregoing facts indicate, all Defendants and
15 certain employees of the State of Pennsylvania are a party.
16 3. **Obstruction of Justice**- Plaintiff respectfully contends that
17 the foregoing facts indicate the conspiracy of obstruction
18 of justice, has occurred and continues since 1997.
19 4. **Professional Misconduct** - Plaintiff respectfully contends,
20 that the foregoing facts indicate the Defendants violated
21 numerous professional conduct, as well as breaking laws,
22 which may carry a misdemeanor felony charge.
23

24 **RELIEF**

25 **Declaratory Relief**

1. Plaintiff asks the court to rule that the Defendants have
2 interfered with the judicial processes.
3. Plaintiff asks the court to rule that Professional
4 Misconduct has occurred.
5. Plaintiff asks the court that a Federal Prosecutor be
6 appointed to review all facts including trial for possible
7 criminal violations.
8. Plaintiff asks the court to rule that court costs should
9 be assessed to Defendants.
10 5. Plaintiff asks the court to rule there was a conspiracy.
11
12